

**Introduced by Senator Burton**

January 22, 2003

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An act to amend Section 2622 of, *to add Section 2623 to*, and to repeal and add Section 2620 of, the Business and Professions Code, relating to healing arts.

LEGISLATIVE COUNSEL'S DIGEST

SB 77, as amended, Burton. ~~Healing arts: physical~~ *Physical therapy.*

Existing law, the Physical Therapy Practice Act, regulates the practice of physical therapy by the Physical Therapy Board of California in the Department of Consumer Affairs, and provides that a violation of the act is a crime. Existing law defines the “physical therapy” and “physical therapist” for purposes of the act.

This bill would instead define the practice of physical therapy and would revise the definition of a physical therapist.

*The bill would make it an unlawful practice of physical therapy if a physical therapist does not immediately refer an individual to specified licensed health care professionals if the physical therapist has reasonable cause to believe that physical therapy is contraindicated, or if the individual has a symptom or condition that requires services outside the physical therapist's scope of practice.*

Because the bill would ~~include additional~~ *add* provisions regarding the practice of physical therapy, the violation of which would be a ~~misdemeanor crime~~, it would ~~change an existing crime, thereby imposing~~ *impose* a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 2620 of the Business and Professions
- 2 Code is repealed.
- 3 SEC. 2. Section 2620 is added to the Business and Professions
- 4 Code, to read:
- 5 2620. The “practice of physical therapy” means all of the
- 6 following:
- 7 (a) Examining, evaluating, and testing individuals with
- 8 mechanical, physiological and developmental impairments,
- 9 functional limitations and disabilities, or other health and
- 10 movement related conditions in order to determine a diagnosis of
- 11 *the physical impairment or movement-related functional*
- 12 *limitation*, prognosis, plan of therapeutic intervention, and to
- 13 ~~asses~~ *assess* the ongoing effects of intervention.
- 14 (b) Alleviating impairments, functional limitations, and
- 15 disabilities by designing, implementing, and modifying
- 16 therapeutic interventions that may include, but are not limited to,
- 17 the following:
- 18 (1) Therapeutic exercise.
- 19 (2) Functional training in self-care and ~~in-home~~ *in-home*,
- 20 community, or work integration or reintegration.
- 21 (3) Manual therapy, including soft tissue and joint mobilization
- 22 or manipulation.
- 23 (4) Therapeutic massage.
- 24 (5) Prescription, application, and fabrication of assistive,
- 25 adaptive, orthotic, prosthetic, protective, and supportive devices
- 26 and equipment.
- 27 (6) Airway clearance techniques.
- 28 (7) Integumentary protection and repair techniques.
- 29 (8) Debridement and wound care.



1 (9) Physical agent modalities.

2 (10) Mechanical and electrotherapeutic modalities.

3 (11) Patient-related instruction.

4 (c) Reducing the risk of injury, impairment, functional  
5 limitation and disability, including the promotion and  
6 maintenance of fitness, health, and wellness in populations of all  
7 ages.

8 (d) Engaging in administration, consultation, education, and  
9 research.

10 SEC. 3. Section 2622 of the Business and Professions Code  
11 is amended to read:

12 2622. “Physical therapist” means a person who is licensed  
13 pursuant to this chapter to practice physical therapy. For all  
14 purposes of this chapter the term “physical therapy” and  
15 “physiotherapy” shall be deemed identical and interchangeable.

16 SEC. 4. *Section 2623 is added to the Business and Professions*  
17 *Code, to read:*

18 2623. *It is unlawful practice of physical therapy if a physical*  
19 *therapist does not immediately refer an individual to a health care*  
20 *professional licensed to practice dentistry, podiatry, or medicine,*  
21 *or another licensed health care professional, if either of the*  
22 *following occur:*

23 (a) *The physical therapist has reasonable cause to believe that*  
24 *physical therapy is contraindicated.*

25 (b) *The individual has a symptom or condition that requires*  
26 *services outside the physical therapist’s scope of practice,*  
27 *including, but not limited to, nonmuscular and nonskeletal*  
28 *symptom and conditions, or conditions of the central nervous*  
29 *system.*

30 SEC. 5. No reimbursement is required by this act pursuant to  
31 Section 6 of Article XIII B of the California Constitution because  
32 the only costs that may be incurred by a local agency or school  
33 district will be incurred because this act creates a new crime or  
34 infraction, eliminates a crime or infraction, or changes the penalty  
35 for a crime or infraction, within the meaning of Section 17556 of  
36 the Government Code, or changes the definition of a crime within  
37 the meaning of Section 6 of Article XIII B of the California  
38 Constitution.

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